

CONSTITUTION AND BY-LAWS OF THE WETUMKA INDIAN COMMUNITY

PREAMBLE

We, the members of the Wetumka Indian Community, in order to promote our common welfare and to secure and obtain for ourselves and for our posterity and benefits, rights, privileges, and powers offered to us by and/or through the Muscogee (Creek) Nation of Oklahoma, so hereby adopt and ordain the following Constitution and By-Laws of this Community.

ARTICLE I – OBJECTIVES

The objectives of this Community shall be:

- Section 1. To promote the general welfare of the Wetumka Indian Community and its members of obtaining the benefits, rights and privileges provided by the laws of the Muscogee (Creek) Nation of Oklahoma.
- Section 2. Adopt and conduct official Community business in accordance with the Wetumka Indian Community Constitution and By-Laws as well as Parliamentary Procedure (Robert's Rules of Order – Revised, current edition).
- Section 3. To acknowledge the Muscogee (Creek) Nation Constitution as the supreme law of the Community and that the Wetumka Indian Community shall not abridge the rights of its members.

ARTICLE II – NAME

The name of the Community shall be the Wetumka Indian Community.

ARTICLE III – COMMUNITY AND HEADQUARTERS

- Section 1. The Wetumka Indian Community is located in Hughes County NE/4 NE/4 Sec. 21 – 9N 10E serving the City of Wetumka and surrounding area.
- Section 2. The headquarters of the Wetumka Indian Community shall be located at a place known as Wetumka Indian Community Center.
- Section 3. The boundaries of the Wetumka Indian Community shall be as follows:

Beginning at a point where the Muscogee (Creek) Nation/Seminole Nation border line intersects the southern boundary line of Section 20, T8N, R8E; thence due East approximately 22.75 miles to the Southeast corner of Section 24, T8N, R11E; thence North and Northeasterly approximately 3.4 miles along the Carson/Lamar Road to the Southeast corner of Section 6, T8N, R12E; thence North 7 miles to the Northeast corner of Section 6, T9N, R12E; thence due West approximately 23.75 miles to the point where the Muscogee (Creek) Nation boundary line intersects the

Northern boundary line of Section 5, T9N, R8E; thence due South along the Muscogee (Creek) Nation boundary line to the point of the beginning.

ARTICLE IV – MEMBERSHIP

- Section 1. To be eligible for membership in the Wetumka Indian Community, an applicant must: (1) be an enrolled citizen of the Muscogee (Creek) Nation; and (2) Reside within the Wetumka Indian Community boundaries as described in Article III and show proof of such residency.
- Section 2. Any person desiring membership will come forth to the community and request a membership application to verify that he/she meets all the membership requirements set forth above.
- Section 3. Members' spouses and/or Non-Creeks may have associate membership and participate in all activities but without right to vote or hold office. Any individual seeking associate membership must complete a membership application and provide proof of residency within the Wetumka Indian Community boundaries as described in Article III. All eligible members of the Wetumka Indian Community shall abide by the rules and regulations set forth by the Community.

ARTICLE V – GOVERNING BODY

- Section 1. The governing body shall be known as the Wetumka Indian Community and shall consist of elected officers, known as the Board of Directors, serving as spokesman.
- Section 2. The Board of Directors shall bring all business before the Community to be voted for by the majority of the Community.
- Section 3. The Board of Directors shall manage and supervise all of the Wetumka Indian Community's business enterprises and employees, including hiring, termination and supervision of employees, and day-to-day business transactions.
- Section 4. All Board of Directors shall be enrolled full citizens of the Muscogee (Creek) Nation.
- Section 5. The Board of Directors shall be comprised of four officers: a Chairman, Vice-Chairman, Secretary/Treasurer and Assistant Secretary/Treasurer. Their terms of office shall be for a period of two years and shall be staggered terms beginning with the 2015 election. Beginning with the 2015 election, the Chairman and Secretary/Treasurer shall serve a two (2) year term and the Vice-Chairman and Assistant Secretary/Treasurer shall be for a (1) year term. Then beginning with the 2016 election, the Vice-Chairman and Treasurer shall serve a two (2) year term. Additionally, a Sergeant-of-Arms may be selected from the floor by the Chairman, if needed, for single meetings, elections and/or any other official community functions where needed.
- Section 6. The Wetumka Indian Community shall hold their general elections in February. Nominations shall be made from the floor.

- Section 7. At any election held by the membership, both males and females 18 years of age or over who are enrolled Muscogee (Creek) Nation citizens shall be eligible to vote. Elections shall be held by secret ballot voting. In order to be elected, a Candidate must receive a majority of the votes cast. If there is only one nominee for any office, the nominee shall automatically be declared the winner.
- Section 8. Vacancies in any Board of Directors office shall be filled at the next regularly scheduled meeting to succeed the terms of office.
- Section 9. All resignations must be presented in writing to the Community or Board of Directors thereof.
- Section 10. In order to avoid a conflict of interest, immediate family members shall not hold an elected or appointed position in the Community at the same time. Immediate family members are defined as the following: spouse, parents, grandparents, children, grandchildren, siblings (brother/sister), and in-laws (mother/father, brother/sister). Adopted and step members are also included in immediate family.

Additionally, as stated in the Muscogee (Creek) Nation Code, “Any person who holds office as a member of a Chartered Muscogee (Creek) Indian Community Board shall recuse themselves from any vote in the event that a conflict of interest occurs in regard to their position of employment with the Muscogee (Creek) Nation. *See* MCN Code, Title 37 §3-101 and §3-102 C)

- Section 11. A Wetumka Indian Community Board of Director officer shall not be employed in any capacity by the Wetumka Indian Community or in any of its enterprises; shall not individually contract or do business with the Community for private gain; and cannot own, partly own or be employed with any enterprise that contracts or does business with the Wetumka Indian Community.

The Board of Directors will not be considered employees of the Wetumka Indian Community. They may be compensated as deemed necessary in accordance with a Compensation and Reimbursement Policy approved by a majority of Community members voting as a Community meeting; provided that the Compensation and Reimbursement Policy is provided to members at the Community Headquarters and read aloud at the Community meeting prior to voting.

A Board of Directors officer will not be compensated if they miss monthly meetings absent a valid excuse and notice.

ARTICLE VI – DUTIES OF BOARD OF DIRECTORS

- Section 1. It shall be the duty of the Board of Directors to promote the general welfare of the members of this Community and to carry out the provisions and purposes of this Constitution and By-Laws.

- Section 2. It shall be the duty of the Chairman to preside over all meetings. All members of the Board of Directors shall assist the Chairman in all proper ways to carry out the resolutions of the elected officer. The Vice-Chairman or Executive Officers shall act in absence of the Chairman.
- Section 3. The Secretary/Treasurer shall keep a full report of all proceedings of each regular and special meetings of the Wetumka Indian Community. The Secretary/Treasurer shall keep an account of all receipts and disbursements and shall report the same to the Community at each regular meeting. Any member of the Community organization shall have the right to examine any and all records of meetings and monetary transactions. (In case of absence of the Secretary/Treasurer at any regular or special meeting, the Assistant Secretary/Treasurer shall act in his/her behalf).

ARTICLE VII – REMOVAL OF BOARD OF DIRECTOR

- Section 1. Removal of elected officers for any alleged misconduct shall be brought before the Wetumka Indian Community to be decided by members of said Community by majority vote.
- Section 2. Executive officers may be removed from office by majority vote after missing three consecutive meetings without a valid excuse.

ARTICLE VIII – MEETINGS

- Section 1. Regular meetings of the Wetumka Indian Community shall be held once a month. Three (3) Board of Directors shall constitute a quorum to transact the business of the Community at any meeting.
- Section 2. Special meetings may be called by the Chairman or Board of Directors.

ARTICLE IX – ORDER OF BUSINESS

- Section 1. The order of business of the Executive council shall be as follows: (1) Call to order by the presiding officer; (2) invocation; (3) reading of minutes; (4) adoption of minutes by vote; (5) reports; (6) unfinished business; (7) new business; (8) announcements, and (9) adjournment.

ARTICLE X – AMENDMENTS

- Section 1. Amendments to this Constitution and By-Laws may be proposed by the Executive Council or a majority of the governing body, or by a petition filed by 30 percent of the members of this Community, shall be submitted to a referendum of the members of this Community and shall be effective if approved by a two-thirds (2/3) affirmative majority vote of those voting in the election., provided at least 20 percent of the eligible voters shall vote.- A Special meeting shall be called for the purpose of voting on proposed amendments. Copies of all amendments will be presented at the regular membership meeting, and also provided to members upon request prior to the Special meeting. Notice of date and time of special meeting shall be provided to

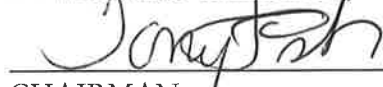
Community members no less than ten (10) days before the date of any Special meeting.

ARTICLE XI – RATIFICATION

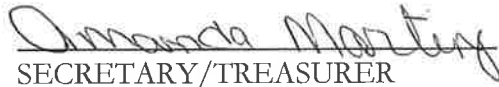
This Revised Constitution and By-Laws shall be declared adopted by the Wetumka Indian Community members when passed by majority vote when at least 30 percent of eligible voters are in attendance at a Special meeting of the Wetumka Indian Community.

The Wetumka Indian Community at a Special called meeting held on February 12, 2015, approves this revised Constitution and By-Laws.

IN WITNESS THEREOF,


CHAIRMAN


VICE CHAIRMAN


SECRETARY/TREASURER


ASST. SECRETARY/TREASURER

This revised Constitution and By-Laws shall be effective when the Executive Officers, by authority of the Wetumka Indian Community members, has signed their approval above-and when approved by the Principal Chief of the Muscogee (Creek) Nation.


PRINCIPAL CHIEF
Muscogee Creek Nation

3.26.15
Date

Wetumka Indian Community Meeting

Special Called Meeting

We had 62 Community Members at our February 12, 2015 meeting.
to pass our New Constitution by laws

Secretary/Treasure Amanda Martinez

Amanda Martinez